

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THERASENSE, INC.,

Plaintiff,

v.

BECTON, DICKINSON AND COMPANY,

Defendant.

AND CONSOLIDATED CASES.

No. C 04-02123 WHA

Consolidated with

No. C 04-03327 WHA

No. C 04-03732 WHA

No. C 05-03117 WHA

**ORDER RE JUDGMENT AS
TO '745 PATENT**

The Court has received the parties' joint submission regarding the judgment for the '745 patent. Bayer's proposed language is acceptable, but the title of the proposed judgment states "Amended Judgment" when it should be a judgment under Rule 54(b). Bayer is requested to submit a new proposed judgment with the appropriate changes.

IT IS SO ORDERED.

Dated: August 8, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE